IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FERA APPEAL (ST.) NO.34775 OF 2001

Union of India & Ors. ..Applicants.

V/s.

Murarilal S. Modi ..Respondent.

Mr.R.V.Desai, senior counsel with S.V.Bharucha, D.A. Dubey i/b. H.P. Chaturvedi for applicant.

None for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 24TH AUGUST, 2007.

P.C. :-

Appeal taken up for hearing. Heard forthwith. The department in this appeal has challenged the order passed in appeals whereby appeals preferred by the respondent herein and also by two other appellants, were allowed. The entire case was that one Jaikaran Singh, who is respondent in FERA Appeal No.34780 of 2001 was accosted and dollars amounting to 15,000 were found in his possession. The further finding was recorded that said Jaikaran Singh was employed by the respondent herein Shri Murarilal S. Modi and as per the instructions from Murarilal Modi, he was to collect the foreign exchange from Virendra S. Jain. The Appellate Tribunal considered the evidence

on record and after appreciating the same came to the conclusion that the appellant could not establish the charge against the respondent and also Jaikaran Singh and other and accordingly allowed the appeal. In our opinion, these are purely findings of fact and no question of law arise and accordingly the appeal is dismissed with no order as to costs.

(F.I.REBELL0, J.)

(J.P.DEVADHAR, J.)